

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☒ INFORMATION ☐ INDICTMENT
☒ SUPERSEDING
OFFENSE CHARGED

Count One - 18 U.S.C. § 1030(a)(2)(C) and (c)(2)(A) - Computer Fraud and Abuse

Forfeiture allegation

☐ Petty
☐ Minor
☒ Misdemeanor
☐ Felony

PENALTY: Count One - 1 year imprisonment, \$100,000 fine, 1 year of supervised release, \$25 special assessment, restitution, forfeiture

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

DEFENDANT - U.S.

JAMES QUACH

DISTRICT COURT NUMBER
CR 18-0527-04 WHA**DEFENDANT****IS NOT IN CUSTODY**

Has not been arrested, pending outcome of this proceeding.

1) ☐ If not detained give date any prior summons was served on above charges2) ☐ Is a Fugitive3) ☒ Is on Bail or Release from (show District)

NDCA

IS IN CUSTODY4) ☐ On this charge5) ☐ On another conviction☐ Federal ☒ State6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

Federal Bureau of Investigation

☐ person is awaiting trial in another Federal or State Court, give name of court☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21, or 40. Show District☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form David L. Anderson

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) S. Armbrust/K. Waldinger

ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**☐ SUMMONS ☒ NO PROCESS* ☐ WARRANT

Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____ Before Judge: _____

Comments:

FILED
2020 JAN 10 A 10:51
SUSAN Y. SOONG
CLERK, US DISTRICT COURT
NO. DIST. OF CA.

DAVID L. ANDERSON (CABN 149604)
United States Attorney

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

| | | |
|---------------------------|---|--|
| UNITED STATES OF AMERICA, |) | CASE NO. 18-CR-0527-04 WHA |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | VIOLATION: 18 U.S.C. § 1030(a)(2)(C) and |
| |) | (c)(2)(A) – Computer Fraud and Abuse |
| JAMES QUACH, |) | (misdemeanor); 18 U.S.C. § 1030 – Criminal |
| |) | Forfeiture. |
| Defendant. |) | |
| |) | SAN FRANCISCO VENUE |

SUPERSEDING INFORMATION

The United States Attorney charges:

On or about July 9, 2017, in the Northern District of California and elsewhere, the defendant,
JAMES QUACH,
intentionally accessed a computer without authorization and obtained information from a computer that
was used in and affected interstate and foreign commerce and communication, in violation of Title 18,
United States Code, Section 1030(a)(2)(C) and (c)(2)(A), a misdemeanor.

FORFEITURE ALLEGATION

As a result of conviction of this Information, the defendant,
JAMES QUACH,
shall forfeit to the United States of America:

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SUPERSEDING INFORMATION [QUACH]
18-CR-0527-04 WHA

1 (1) pursuant to 18 U.S.C. §§ 982(a)(2)(B) and 1030(i), any property, real or personal,
2 constituting, or derived from, proceeds obtained directly or indirectly as a result of such offense; and

3 (2) pursuant to 18 U.S.C. § 1030(i), any personal property that was used or intended to be used to
4 commit or to facilitate the commission of such offense.

5 If any of the property described above, as a result of any act or omission of the defendant:

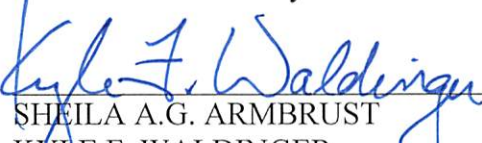
- 6 a. cannot be located upon the exercise of due diligence;
7 b. has been transferred or sold to, or deposited with, a third party;
8 c. has been placed beyond the jurisdiction of the court;
9 d. has been substantially diminished in value; or
10 e. has been commingled with other property which cannot be divided without
11 difficulty,

12 the United States of America shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C.
13 § 853(p), as incorporated by 18 U.S.C. § 2323(b).

14 All pursuant to 18 U.S.C. §§ 853, 982, 1030, 2323, and Fed. R. Crim. P. 32.2.

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17 DATED: January 10, 2020

DAVID L. ANDERSON
United States Attorney

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20 SHEILA A.G. ARMBRUST
21 KYLE F. WALDINGER
22 Assistant United States Attorneys
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